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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ricardo Guimaraes et al.

Application No.: 09/726,953

Filed: November 29, 2000

For: **LASIK LAMINAR FLOW
SYSTEM**

Examiner: Fadi H. Dahbour

Art Group: 3743

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AUG 11 2004
TECHNOLOGY CENTER R3700

Dear Sir:

This filing is in response to the Office Action dated March 8, 2004.

REMARKS

The Examiner rejected claims 12-14 under 35 U.S.C. §102(e) as being anticipated by Kawesch. The Examiner rejected claims 1-11 under 35 U.S.C. §103(a) as being unpatentable over Kawesch in view of Glockler. The Examiner cites Figure 4 and lines 26-28 of column 5 to support the proposition that the Kawesch system does not dehydrate the cornea. The Applicant respectfully traverses this contention.

The Applicant submits it would be more appropriate to review lines 26-29 than lines 26-28 of column 5. Lines 26-29 state:

"Valve 206 is opened by a surgeon and is manipulated to direct a very low flow of filtered, compressed air over the repositioned corneal flap in order to **draw the fluid out of the cornea/flap interface.**"